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EXAMINER	
NGUYEN, NAM V	

ART UNIT	PAPER NUMBER
2635	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/084,011	KACALEK ET AL.	
	Examiner	Art Unit	
	Nam V. Nguyen	2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 2/25/02.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-33 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-29 and 31-33 is/are rejected.

7)☒ Claim(s) 30 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 25 February 2002 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5/10/02.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

The application of Kacalek et al. for a "wireless community alerting system" filed February 25, 2002 has been examined.

Claims 1-33 are pending.

Claim Objections

Claim 17 is objected to because of the following informalities: in line 11 of claim 17 "coupled to receive" should be "coupled to the receiver to receive". An appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 7-8, 11-12, 15, 17-21, 17/22, 18/22, 19/22, 20/22, 21/22 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US# 6,628,194) in view of Gotou (US# 6,020,828).

Referring to claims 1 and 17, Hellebust et al. disclose an electronic messaging system (i.e. a wireless network) (column 2 lines 30 to 48; see Figure 1) comprising:

(a) a monitoring center (109 or 110) (i.e. a private branch exchange or Telco company) for accepting alerts from authorized agencies (105 or 107-108) (i.e. telephone, a network server or a computer terminal) (column 2 lines 30 to 59; see Figure 1);

(b) at least one paging terminal (102) (i.e. a wireless network infrastructure) having the ability to broadcast a radio frequency carrier suitably modulated with information including addressing data and message data (i.e. classification information), said at least one paging terminal (102) (i.e. a wireless network infrastructure) adapted to receive paging instructions (i.e. rule) from said monitoring center (109 or 110) pertaining to an alert (column 2 line 60 to column 3 lines 35; see Figure 2);

(c) a plurality of physical units (101) (i.e. a wireless devices), each including

(i) a receiver tuned to said carrier frequency, the receiver including a demodulator for recovering the addressing data and message data (column 3 lines 41 to column 4 line 12; see Figure 3).

However, Hellebust et al. did not explicitly disclose (ii) a microprocessor coupled to receive the addressing data and message data, the microprocessor having a memory for storing a code list, and (iii) a plurality of visual signaling devices controlled by the microprocessor, selected ones of the plurality of visual signaling devices being activated only when received addressing data matches an entry in said code list.

In the same field of endeavor of a selective call receiver, Gotou teaches that a microprocessor (102) (i.e. a control processor) coupled to the receiver (1) (i.e. a radio system

module) to receive the addressing data (i.e. calling number) and message data (i.e. message), the microprocessor (102) having a memory (105) for storing a code list (i.e. a fixed-message icon shift code) (column 2 line 36 to column 3 line 33), and

a plurality of visual signaling devices (3 and 4) (i.e. a LCD or alert device) controlled by the microprocessor (102), selected ones of the plurality of visual signaling devices (3 or 4) being activated only when received addressing data (i.e. calling number) matches an entry in said code list (i.e. fixed-message icon code) (column 2 line 66 to column 3 line 64; see Figures 1 to 4) in order to obtain a reliable communication and to interpret with precision of a received message signal.

One of ordinary skilled in the art recognizes the need to have a selective call receiver includes a memory storing a plurality of icons which are associated with different pieces of objective information of Gotou in an incoming information received by a wireless devices of Hellebust et al. because Hellebust et al. suggest it is desired to provide that a wireless devices and system are configured to display the number of information alerts that are organized by specified criteria and rules (column 3 line 41 to column 4 line 32) and Gotou teaches that the selective call receiver alerts a user in a predetermined event when the received selective call signal address matches with a fixed-message icon shift codes in a memory that are associated with different pieces of objective information (column 2 line 66 to column 3 line 33) in order to increase reliable communication. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have a selective call receiver includes a memory storing a plurality of icons which are associated with different pieces of objective information of Gotou in an incoming information received by a wireless devices of Hellebust et

al. with the motivation for doing so would have been to provide more reliable communication of a selective call receiver.

Referring to Claim 2, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 1, Gotou discloses wherein the visual signaling devices (3) are selected from a group consisting of light-emitting diodes, liquid crystal displays, plasma displays and electro luminance displays (column 2 lines 36 to 48; see Figure 1).

Referring to Claim 3, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 1, Gotou discloses wherein the visual signaling devices are liquid crystal displays (column 2 lines 36 to 48; see Figure 1).

Referring to Claim 4, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 1, Hellebust et al. disclose wherein the physical unit (101) retains a historical log in said memory for past notifications received (column 3 lines 41 to 59; see Figure 3).

Referring to Claims 5 and 18-21, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claims 2 and 17, Gotou discloses further including icons (201 to 205) physically associated with predetermined ones of the plurality of signaling devices (3) for providing a non-lingual indication of the event that is the subject of the received data (column 3 lines 46 to 64; see Figures 2 to 4).

Referring to Claim 7, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 2, Gotou discloses further including a alpha/numeric display (3) for receiving text messages (column 3 lines 46 to 64; see Figures 2 to 4).

Referring to Claims 8 and 22, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claims 1 and 21, Gotou discloses further including an audible signaling device (4) (i.e. an beeper or speaker) controlled by the microprocessor (102) (column 2 lines 36 to 48; column 3 lines 22 to 33; see Figures 1-4)

Referring to Claim 11, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 8, Gotou discloses wherein the microprocessor (102) includes a memory (105) for storing a code list (i.e. a fixed-message icon shift code) to which a given physical unit (i.e. a radio selective calling receiver) will respond when data from the paging terminal matches an entry in said code list (column 2 line 36 to column 3 line 33).

Referring to Claim 12, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 11, Hellebust et al. disclose wherein the microprocessor is programmed to respond in a way dependent upon which entry in the code list is matched to selectively activate said visual and audible signaling devices (column 3 lines 25 to 35; see Figures 2 and 3).

Referring to Claims 15 and 25, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claims 5 and 17, Gotou discloses wherein selected ones of the plurality

of visual signaling devices (3) provide operational status of the electronic messaging system to a person observing a physical unit (i.e. a radio selective calling receiver) (column 2 lines 36 to 48; column 3 lines 46 to 64; see Figures 1-4).

Referring to Claim 26, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 17, Hellebust et al. disclose wherein the monitoring center (109 or 110) is coupled through one of a public switched telephone network (103) and a data network (104) to the paging terminal (102) (column 2 lines 30 to 59; see Figure 1).

Claims 9-10 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US# 6,628,194) in view of Gotou (US# 6,020,828) as applied to Claim 1, and in further view of Okayama et al. (US# 6,157,316).

Referring to Claims 9-10, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 1, however, Hellebust et al. in view of Gotou did not explicitly disclose further including an AC power source and having a DC battery backup in event of an AC power failure and polarity insensitive.

In the same field of endeavor of a selective call receiver, Okayama et al. teach that an AC power source (12) and having a DC battery backup (29) in event of an AC power (12) failure and polarity insensitive (column 3 lines 66 to column 4 line 15; column 6 line 9 to column 56; column 8 lines 3 to 17; see Figures 4-7) in order to power the receiver for more convenient to use.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a DC battery backup to power the receiver of Okayama et al. in information alert of a selective call receiver of Hellebust et al. in view of Gotou because using a battery backup would improve the reliable communication that has been shown to be desirable in the selective call receiver of Hellebust et al. in view of Gotou.

Referring to Claim 33, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 22, Okayama et al. disclose wherein the audible alarm can operate in a plurality of modes (i.e. a audible alarm and silent alarm mode) (column 5 lines 11 to 18; see Figure 6).

Claims 6, 27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US# 6,628,194) in view of Gotou (US# 6,020,828) as applied to Claim 17, and in further view of Tribbey et al. (US# 5,369,399).

Referring to Claim 27, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 17, however, Hellebust et al. in view of Gotou did not explicitly disclose wherein message data includes a test code for causing one of the plurality of visual signaling devices of the physical unit to be activated when the paging terminal and the receiver, the microprocessor and the visual signaling devices are operational.

In the same field of endeavor of a selective call receiver, Tribbey et al. teach that message data includes a test code (i.e. a test signal) for causing one of the plurality of visual signaling devices (118) (i.e. a display) of the physical unit (100) (i.e. a pager) to be activated when the paging terminal and the receiver, the microprocessor (114) (i.e. a microcomputer decoder) and the visual signaling devices (118) are operational (column 11 line 49 to column 12 line 12; see Figures 1-2 and 12) in order to alert a potential defect in a manufacturing process before the final product is delivered to the customer.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need for message data includes a test code for causing one of the plurality of visual signaling devices of the physical unit to be activated of Tribbey et al. in information alert of a selective call receiver of Hellebust et al. in view of Gotou because a test code would improve the reliable communication that has been shown to be desirable in the selective call receiver of Hellebust et al. in view of Gotou.

Referring to Claim 31, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 17, Tribbey et al. disclose wherein the plurality of visual indicating devices (118) are each capable of operating in at least three distinct modes (i.e. variety of modes) (column 4 lines 26 to 35).

Referring to Claim 6, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 2, Tribbey et al. disclose further including an auxiliary jack (120) (i.e. a code plug) to enable the use of remote attention getting devices (column 4 line 36 to 59; see Figure 1).

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US# 6,628,194) in view of Gotou (US# 6,020,828) as applied to Claim 22, and in further view of Sakoh et al. (US# 4,796,024).

Referring to Claim 23, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 22, however, Hellebust et al. in view of Gotou did not explicitly disclose further including a manually operated switch coupled to the microprocessor for selectively extinguishing the audible alarm and predetermined ones of the visual indicating devices.

In the same field of endeavor of a selective call receiver, Sakoh et al. teach that a manually operated switch (11) (i.e. a reset switch) coupled to the microprocessor (6) (i.e. a indicator control circuit) for selectively extinguishing the audible alarm (8) and predetermined ones of the visual indicating devices (9) (column 3 lines 6 to 68; see Figure 1) in order to stopped instantly and to clear the memory.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a manually operated reset switch of Sakoh et al. in information alert of a selective call receiver of Hellebust et al. in view of Gotou because using a reset switch would improve the reliable communication that has been shown to be desirable in the selective call receiver of Hellebust et al. in view of Gotou.

Claims 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US# 6,628,194) in view of Gotou (US# 6,020,828) as applied to Claim 17, and in further view of Laflin et al. (US# 5,705,995).

Referring to Claims 28-29, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 17, however, Hellebust et al. in view of Gotou did not explicitly disclose wherein the plurality of physical units can be grouped either on a geographical or a logical basis using said addressing data.

In the same field of endeavor of a selective call receiver, Laflin et al. teach that wherein the plurality of physical units (10 or 12) (i.e. pagers) can be grouped either on a geographical or a logical basis using said addressing data (36) (i.e. a header) (column 2 lines 32 to column 3 line 37; column 6 lines 8 to 55; see Figures 1-5) in order to generate an audible alert or visual stimulus that signifies the receipt of a message in the information services category.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have pagers can be grouped on a logical basis using said header of Laflin et al. in information alert of a selective call receiver of Hellebust et al. in view of Gotou because generating an alert that signifies the receipt of a message in the information services category would improve the reliable communication that has been shown to be desirable in the selective call receiver of Hellebust et al. in view of Gotou.

Claims 13-14, 16 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US# 6,628,194) in view of Gotou (US# 6,020,828) as applied to Claims 6 and 17, and in further view of Dulaney et al. (US# 5,012,234).

Referring to Claims 13, 16 and 32, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claims 6, 5 and 17, however, Hellebust et al. in view of Gotou did not explicitly disclose wherein status of the plurality of visual and audible indicating devices may be changed remotely from the monitoring center.

In the same field of endeavor of a selective call receiver, Dulaney et al. teach that wherein status of the plurality of visual and audible indicating devices (80 and 84) may be changed remotely from the monitoring center (20) (i.e. a terminal apparatus) (column 3 lines 40 to column 4 line 21; column 5 line 58 to column 6 line 60; see Figures 1-3) in order to reconfigure memory.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to change remotely from the terminal apparatus of Dulaney et al. in information alert of a selective call receiver of Hellebust et al. in view of Gotou because change the status audible indicating device remotely would improve the reliable communication that has been shown to be desirable in the selective call receiver of Hellebust et al. in view of Gotou.

Referring to Claim 14, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 12, Dulaney et al. disclose a manual operable end user interface switch (82) (i.e. a switch means) which, when actuated, sends a signal to the microprocessor (58) for

deactivating those signaling devices (80 and 84) which the microprocessor (58) allows to be end user deactivated (column 5 lines 39 to 57; column 6 line 61 to column 7 line 45; see Figures 3-4).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US# 6,628,194) in view of Gotou (US# 6,020,828) as applied to Claim 12, and in further view of Davis (US# 5,193,216).

Referring to Claim 24, Hellebust et al. in view of Gotou disclose the electronic messaging system as in claim 12, however, Hellebust et al. in view of Gotou did not explicitly disclose wherein the addressing data includes a cap code associated with a carrier frequency to which a physical unit may be tuned.

In the same field of endeavor of a selective call receiver, Davis teaches that the addressing data includes a cap code (82) (i.e. synchronized code) associated with a carrier frequency to which a physical unit (i.e. a selective call receiver) may be tuned (column 4 line 17 to column 5 line 19; see Figure 4) in order to receive an important message reliably.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to turn to a carrier frequency at a predetermined frame synchronization of Davis in information alert of a selective call receiver of Hellebust et al. in view of Gotou because tuning to a carrier frequency with a synchronized code would improve the reliable communication that has been shown to be desirable in the selective call receiver of Hellebust et al. in view of Gotou.

Allowable Subject Matter

Claim 30 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Referring to claim 30, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations wherein multiple visual signaling devices can be simultaneously activated to signal multiple alert conditions at a given time.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cook et al. (US# 5,320,561) disclose a connector for providing programming, testing, and power signals.

Mochizuki et al. (US# 6,044,248) disclose a selective call receiver for displaying messages including graphical images.

Eaton et al. (US# 6,085,068) disclose a method and apparatus for informing a user of message status in a communication device.

Muramatsu et al. (US# 6,205,322) disclose a selective call receiver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen
August 7, 2005

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